

EXHIBIT QQ

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

JESSE REYES, DANIEL REYNOSO, LEAGUE
OF UNITED LATIN AMERICAN CITIZENS,
LATINO COMMUNITY FUND OF
WASHINGTON

Plaintiffs,

vs.

BRENDA CHILTON, et al.,

Defendants.

Case No.: 4:21-cv-05075-MKD

**PLAINTIFF JESSE REYES'S AMENDED
AND SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANTS' FIRST
INTERROGATORIES**

JUDGE: HON. MARY K. DIMKE

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Jesse Reyes, by and through his undersigned counsel, hereby provide the following amended and supplemental responses and objections to Defendants' First Interrogatories.

PRELIMINARY STATEMENT

1. Plaintiff's responses to Defendants' Interrogatories are made without prejudice to Plaintiff's rights to contend at any other stage of the proceedings that the requested responses are irrelevant, inadmissible, or otherwise objectionable.

2. Plaintiff reserves the right to revise, supplement, correct or clarify any of their responses as necessary or appropriate.

3. Plaintiff objects to each Interrogatory to the extent it seeks responses protected from disclosure by the attorney-client privilege, attorney work-product doctrine, or any other applicable privileges or immunities. No waiver of any such privilege or immunity is intended by any responses by Plaintiffs. Such inadvertent disclosure is further protected and does not operate as a waiver pursuant to Rule 502(b) of the Federal Rules of Evidence.

OBJECTIONS AND RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 4:

For the past five years, please state (a) each election in which you voted; (b) how you submitted your ballot (e.g., in-person or by mail); (c) whether the signature on your ballot declaration was determined not to match the signature in your voter registration file; (d) whether you received notice of the signature mismatch; (e) whether you submitted by the deadline the form necessary to cure the signature mismatch; and (f) whether your vote was counted in the election in which you voted.

RESPONSE:

Plaintiff objects on the grounds that the interrogatory is vague, ambiguous, and overbroad as to the terms "each election" because it is not limited to elections in Benton, Chelan, or Yakima counties. To the extent the interrogatory seeks information related to elections not administered by Defendants, Plaintiff objects to the interrogatory on the grounds that it seeks information that is not

relevant to the parties' claims and defenses and proportional to the needs of the case. Plaintiff also objects to the interrogatory the extent Defendants have exclusive or equal access to such information and/or to the extent the requested information is publicly available.

Subject to and without waiving the foregoing objections, Plaintiff responds as to elections that took place in the State of Washington as follows: Plaintiff recalls the following:

- a. 2021 Election(s): Plaintiff voted in at least one election in 2021. Plaintiff's ballot was submitted by mail. Plaintiff's signature on his ballot declaration was determined not to match the signature in his voter registration file. Plaintiff received a notice of the signature mismatch. Plaintiff did not submit by the deadline the form necessary to cure the signature mismatch. Plaintiff does not know whether his vote was counted in the 2021 election in which he voted.
- b. 2016-2019 Election(s): Plaintiff voted in elections in 2021 and recalls voting in the 2018 primary election and 2016 general election. Plaintiff does not recall other details except that he received at least one notice of signature mismatch apart from the one received in 2021 but does not recall the election(s) to which the notice(s) pertained.

SUPPLEMENTAL RESPONSE:

- c. 2022 Election: Plaintiff voted in the 2022 General Election held on 11/8/2022.
- d. 2021 Elections: Plaintiff voted in both the 2021 General Election and 2021 Primary Election. Plaintiff's signature on his ballot declaration was determined not to match the signature on his voter registration file for the 2021 General Election. Plaintiff may have received a notice of signature mismatch. Plaintiff has provided a notice that he has found on VoteWA showing that Chelan County did send a notice which has been provided. Reyes_Plaintiffs_000284-000285.
- e. 2016-2020 Elections: Plaintiff voted in the 2018 Primary Election and 2016 General Election.

INTERROGATORY NO. 17:

Please describe fully the terms of the injunction You seek against each of Benton County, Chelan County, and Yakima County.

RESPONSE:

Plaintiff objects to this interrogatory on the grounds that it is overbroad, burdensome and premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C 07-1882, 2008 WL 5212170, at *2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108 F.R.D. 328, 332-38 (N.D. Cal. 1985); *See also Olson v. City of Bainbridge Island*, No. C08-5513RJB, 2009 WL 1770132, at *4 (W.D. Wash. June 18, 2009) (upholding “overly broad” objection to contention interrogatory which requested “all facts and all evidence” supporting a particular allegation); *See also Advocare Int’l, L.P. v. Scheckenbach*, No. C08-5332 RBL, 2009 WL 3064867, at *1 (W.D. Wash. Sept. 24, 2009) (“Numerous federal courts have held that contention interrogatories which systematically track all of the allegations in an opposing party’s pleadings, and that ask for each and every fact and application of law to fact that supports the party’s allegations are an abuse of the discovery process because they are overly broad and unduly burdensome.”) (internal quotations omitted). Plaintiff also objects to the interrogatory on the grounds that it calls for expert testimony prior to the deadline of the exchange of expert reports in violation of Fed. R. Civ. P. 26.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff expects that materials in forthcoming expert reports will be responsive. Plaintiff intends to provide a response to this interrogatory by January 20, 2023 assuming discovery deadlines do not change. Should additional information surface in light of continuing discovery obligations, Plaintiff reserves the right to supplement or respond thereafter.

SUPPLEMENTAL RESPONSE:

Plaintiff is seeking a permanent injunction against Benton, Chelan, and Yakima Counties that would declare the application of the signature verification process RCW 29A.40.110 violative of the United States Constitution and of Section 2 of the Federal Voting Rights Act, 52 U.S.C. § 10301. Plaintiff seeks to enjoin Defendants, their agents and successors, and all persons acting in concert

1 with, or as agents of, any Defendants from implementing RCW 29A.40.110 and WAC 434-261-050
2 in future elections.

3
4 Dated: May 1, 2023

5 /s/ Mark H. Troutman

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VERIFICATION OF INTERROGATORY ANSWERS

I, Jesse Reyes, verify that I have read and know the contents of the foregoing **Plaintiff Jesse Reyes' Amended and Supplemental Responses and Objections to Defendant's First Interrogatories** and believe them to be true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Executed on this 5 day of May 2023, at Wenatchee, WA.
(City, State)

Jesse Reyes

Jesse Reyes

Signature Certificate

Reference number: UGTCW-V6X8F-FPCR6-QY8HS

Signer	Timestamp	Signature
Jesse Reyes Email: jareyes1295@gmail.com Shared via link Sent: Viewed: Signed:	 04 May 2023 18:49:31 UTC 04 May 2023 18:50:11 UTC 05 May 2023 22:44:27 UTC	 IP address: 174.204.72.147 Location: Seattle, United States

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05 May 2023 22:44:27 UTC

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